IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE:	§	CASE NO. 17-50831-cag
	§	
MANADAS CREEK PROPERTIES, LLC	§	
	§	
DEBTOR.	§	CHAPTER 7 PROCEEDING

TRUSTEE'S MOTION TO AUTHORIZE RANDOLPH N. OSHEROW, TRUSTEE, TO SELL BY SEALED BID, DEBTOR'S INTEREST IN REAL PROPERTY(9.98 ACRES LOCATED AT NORTH CREST, LAREDO, TX) -FREE AND CLEAR OF ALL LIENS AND INTERESTS AND REQUEST FOR RELIEF (WITH 21-DAY LANGUAGE)

THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO YOUR INTERESTS.

IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN MAY BE GRANTED WITHOUT A HEARING BEING HELD.

A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.

NOW COMES RANDOLPH N. OSHEROW, the Chapter 7 Trustee ("Trustee") of the bankruptcy estate of MANADAS CREEK PROPERTIES, LLC, and files his Motion to Authorize Randolph N. Osherow, Trustee to Sell Debtor's Interest in Real Estate - Free and Clear of All Liens and Interests. The Trustee would show the Court the following:

1. On 4/7/17, a voluntary petition was filed initiating this case under Chapter 7 of the Bankruptcy Code; Randolph N. Osherow was subsequently appointed Trustee. He continues to act in that capacity.

I. PROPERTY TO BE SOLD

2. The property of the estate to be sold by this Motion consists of the Debtor's interest in 9.98 acres on North Crest Drive, Webb County, Laredo, Texas, more fully described as The Surface only of ABST 277 POR 22 D M Sanchez 9.98 acres. See attached Survey and tax statement, Exhibit "B".

The Trustee has received a bid to purchase the property for $850,000.00 from A & S Holdings, LLC. The Trustee proposes to sell all the Debtor' s interest in the Real Estate, to A & S Holdings, LLC for $850,000.00, or to any higher bidder subject to Court Approval. After all

A copy of the proposed Order attached as Exhibit "A".

closing costs and administrative expenses are paid, the proceeds shall be divided as follows:

Manadas Creek Properties, LLC	90%
Bruce J. Werstak III	5%
Richard E. Sames	5%

Closing Costs will include all ad valorem property taxes, realtor fees and costs normally assessed against Seller by the Title Insurance closing agent. Administrative expenses include the Trustee's 326 commission which will be assessed against the Debtor's 90% interest ($765,000.00), for Trustee commission in the amount of $22,950.00 to be paid at closing. The Trustee's commission is being paid by agreement with the equity holders of the Debtor.

3. The Trustee proposes to sell the Debtors' interest in the real property described above, if any, to A & S Holdings, LLC for $850,000.00, plus any ad valorem taxes due, realtor fees and costs normally assessed against Seller by the Title Insurance closing agent. Administrative expenses include the Trustee's 326 commission which will be assessed against the Debtor's 90% interest ($765,000.00), for Trustee commission in the amount of $22,950.00 to be paid at closing, on said properties, or to any party making a higher offer(s) by sealed bid. Sealed bids are to be submitted (at least $900,000.00) to the Trustee, Randolph N. Osherow, 342 W. Woodlawn, Suite 100, San Antonio, TX 78212, by **Friday, October 6th, 2017, at 4:00 p.m.** All interested bidders, please submit their highest and best offer with their earnest money checks of no less than $50,000.00 , directly to the Trustee at 342 W. Woodlawn, Suite 100, San Antonio, TX 78212. The sealed bids will be opened in the office of the Trustee, Randolph N. Osherow, located at 342 W. Woodlawn, Suite 100, San Antonio, TX 78212, at that time before any and all bidders who wish to attend and two independent witnesses. All disinterested third parties requesting notice of Trustee's sales have been served with this Motion to Sell Real Property of Debtors.

II. TRUSTEE'S ESTIMATED VALUE AND BASIS THEREOF

3. The Debtor listed all Debtor's 2 tracts of real estate at $136,310.00, but Trustee has already sold the larger tract of real estate for $1,750,000.00. Please see report of sale, docket number 20. The 9.98 acres were listed at $1,195,000.00.

III. MARKETING OF SAID PROPERTY

4. This Motion is being sent to the mailing matrix for the bankruptcy estate. Also, all disinterested third parties requesting notice of Trustee's sales have been served with this Motion to Sell Real Property of Debtors.

IV. TAX CONSEQUENCES

5. The Trustee believes there may be tax consequences to this sale. The maximum tax gain is approximately 20% of the gross sales price, but the Trustee believes the rate will be 15%. The estimated tax basis is $100,000.00 or less and this is a pass thru entity, so the equity holders will receive K-1s for any capital gain.

V. LIENS

6. The Trustee knows of no liens on the property, except for ad valorem property taxes; however, only the property taxes and the ordinary closing costs and administrative fees, will be paid- see below. The Trustee proposes to sell the Real Estate, free and clear of all liens and interests, with any liens or interest, to attach to the proceeds, if any. No release of liens shall be required to pass good, clear title.

VI. ESTIMATED COST OF SALE AND NET TO THE ESTATE

The following estimated costs are related to this sale:

Total Sale Price	$850,000.00
Net to Debtor's Estate	$765,000.00
Real Estate Commission (5%)	$38,250.00
Property Taxes	$unknown
Trustee commission	$22,950.00
Closing Costs-estimated	$10,000.00
Total costs of sale-estimated	$71,200.00
Estimated Net Proceeds	$693,800.00

7. The estimated net to the creditors and/or equity holders is $693,800.00.

8. This sale shall be free and clear of all liens and interest holders; no release of liens shall be required to pass good title as all liens shall be released on the real property sold by Order of this Court.

9. It is the Trustee's position that a sale in this manner is in the best interest of the estate and will net the estate the most money for distribution to creditors. A copy of this Motion is being forwarded to all creditors in accordance with Local Rule 9014.

WHEREFORE, PREMISES CONSIDERED, Trustee prays this Court enter an Order authorizing him to sell the above-described real property free and clear of all liens and interests and that such order be entered after twenty (21) days, unless an objection is timely filed in accordance with Rule 9014.

Respectfully submitted this 14, September, 2017.

/s/ Randolph N. Osherow
RANDOLPH N. OSHEROW, Chapter 7 Trustee
Texas State Bar No. 15335500
342 West Woodlawn, Suite 100

San Antonio, Texas 78212
(210) 738-3001 - Telephone
(210) 737-6312 - Telefax
rosherow@hotmail.com

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE:	§	CASE NO. 17-50831-cag
	§	
MANADAS CREEK PROPERTIES, LLC	§	
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DEBTOR.	§	CHAPTER 7 PROCEEDING

ORDER AUTHORIZING TRUSTEE TO SELL
(9.98 acres on North Crest Drive, Webb County, Laredo, Texas, more fully described as The Surface only of ABST 277 POR 22 D M Sanchez 9.98 acres) PROPERTY OF DEBTORS FREE AND CLEAR OF ALL LIENS AND INTERESTS

On the day this Order was signed, came to be considered by the United States Bankruptcy Judge the Trustee's Motion to Sell Property of Debtors Free and Clear of All Liens and Interests - the Real Estate described in the Trustee's Motion to Sell. The Court having considered the Motion finds that it has merit and should be granted. It is, therefore,

ORDERED, ADJUDGED, and DECREED that the Trustee is hereby authorized to sell to A & S Holdings, LLC or Assigns for $850.000.00, the Real Estate of - 9.98 acres on North Crest Drive, Webb County, Laredo, Texas, more fully described as The Surface only of ABST 277 POR 22 D M Sanchez 9.98 acres.

It is further

ORDERED, ADJUDGED, and DECREED that the sale of the foregoing property shall be free and clear of all liens and interests, valid and invalid, and the same is hereby approved and affirmed. It is further

EXHIBIT "A"

ORDERED, ADJUDGED, and DECREED, that the Trustee is authorized to pay: all the ordinary closing costs such as ad valorem taxes and Realtor fees plus the Trustee's 326 commission of $22,950.00 out of the closing . It is further

ORDERED, ADJUDGED, and DECREED that with respect to the amount of ad valorem taxes for the year 2016 and prior related to the Property (real and personal), such amounts shall be paid at Closing from the sale proceeds by the Closing Agent immediately upon closing and prior to disbursement of any sales proceeds to any other person or entity. Any liens for 2016 and prior ad valorem taxes on the property (real and personal) shall attach to the sales proceeds until paid in full. With respect to the estimated amount of ad valorem taxes for the year 2017 related to the Property (real and personal), such amounts shall be prorated between Buyer and the Debtor/Sellers as of the closing date per the terms of the Commercial Contract-Improved Property. The amount of the estimated 2017 taxes prorated for the Debtor/Sellers shall be an adjustment to the amount of cash due from Buyer to the Debtor/Sellers on the Closing Date and the Buyer shall assume responsibility for the year 2017 ad valorem taxes incident to the Property (real and personal) and the year 2017 ad valorem tax lien shall be retained against the Property ((real and personal) until such time as the 2017 ad valorem taxes are paid in full.

ORDERED, ADJUDGED & DECREED that notwithstanding the provisions of Bankruptcy Rules 6004 and 6006 or any applicable provisions of the Local Rules, this Order shall not be stayed for FOURTEEN (14) DAYS after the entry hereof, but shall be effective and enforceable immediately upon entry. It is further

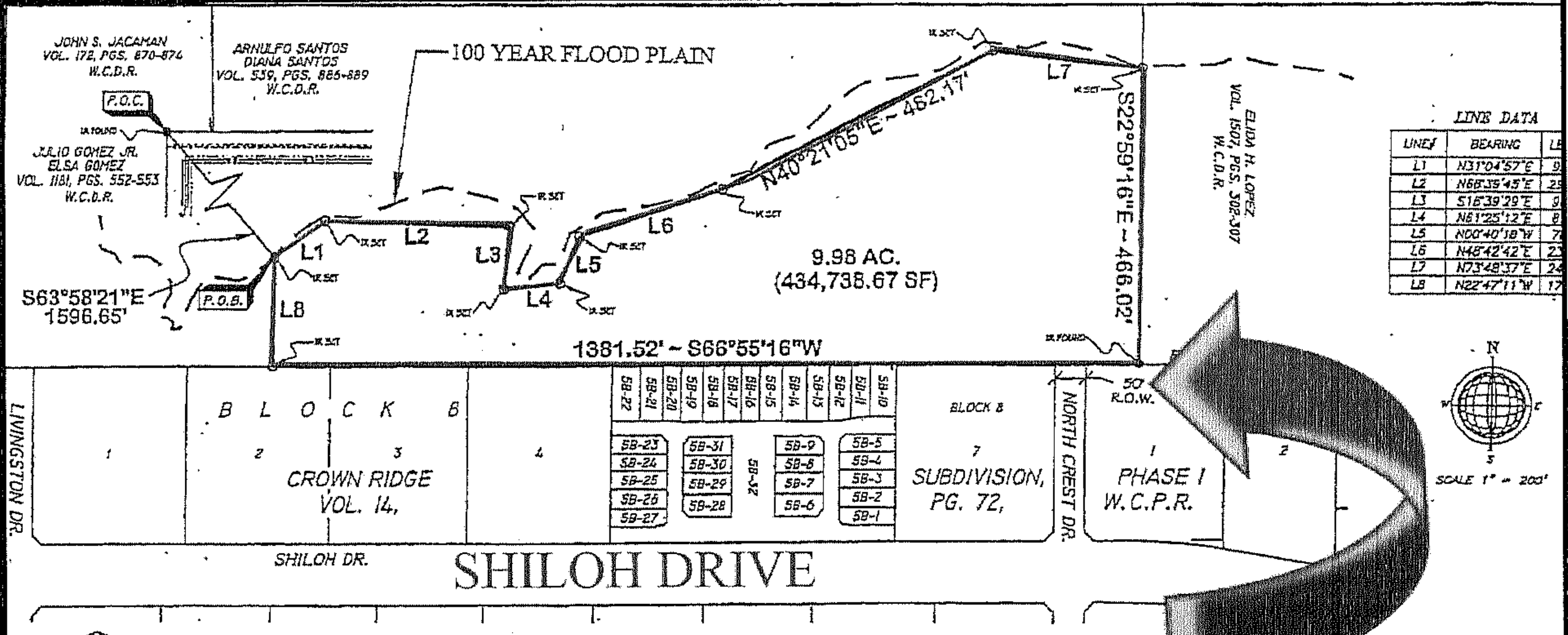
ORDERED, ADJUDGED, and DECREED that the Trustee is authorized to execute the documents necessary to effectuate the sale of the above-described property.

# # #

RANDOLPH N. OSHEROW
Chapter 7 Trustee
342 West Woodlawn, Suite 100
San Antonio, Texas 78212
(210) 738-3001 - Telephone
(210) 737-6312 - Telefax
rosherow@hotmail.com

Lula Morales Realty Inc.

Survey of the Property



JOHN S. JACAMAN VOL. 172, PGS. 870-874 W.C.D.R.
ARNULFO SANTOS DIANA SANTOS VOL. 539, PGS. 886-889 W.C.D.R.
100 YEAR FLOOD PLAIN
P.O.C.
JULIO GOMEZ JR. ELSA GOMEZ VOL. 1181, PGS. 552-553 W.C.D.R.
S63°58'21"E 1596.65'
P.O.B.
L1
L2
L3
L4
L5
L6
L7
L8
N40°21'05"E ~ 462.17'
9.98 AC. (434,738.67 SF)
S22°59'16"E ~ 466.02'
1381.52' ~ S66°55'16"W
ELIDA H. LOPEZ VOL. 1507, PGS. 302-307 W.C.D.R.
B L O C K 8
CROWN RIDGE VOL. 14,
BLOCK 8
SUBDIVISION, PG. 72,
NORTH CREST DR.
50' R.O.W.
PHASE I W.C.P.R.
LIVINGSTON DR.
SHILOH DR.
SHILOH DRIVE
SCALE 1" = 200'

LINE DATA

LINE#	BEARING
L1	N31°04'57"E
L2	N68°35'45"E
L3	S16°39'29"E
L4	N61°25'12"E
L5	N00°40'18"W
L6	N48°42'42"E
L7	N73°48'37"E
L8	N22°47'11"W

STATE OF TEXAS REGISTERED RUBEN FLETES 1998 PROFESSIONAL LAND SURVEYOR

BASIS OF BEARINGS
NAD 83 SOUTH PLANE COORDINATE SYSTEM SOUTH ZONE

I, THE UNDERSIGNED A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION, ON THE GROUND, THAT THE CORNER

LOT #	BLOCK #	OWNER	RECORDED IN
1	1	RUBEN SANDOVAL	VOL. 631, PGS. 872-873
1	8	CIRO'S INVESTMENTS, LTD.	VOL. 1243, PG. 864
2	8	CIRO'S INVESTMENTS, LTD.	VOL. 1306, PGS. 372-374
3	8	CROWN RIDGE CONDOS	
4	8	CROWN RIDGE CONDOS	
5B-10	8	REBECCA BANDA	VOL. 1157, PG. 469
5B-11	8	MIGUEL A. CARDENAS & WIFE LEOCADIA	VOL. 1567, PG. 859
5B-12	8	SANTOS GARZA & WIFE HERLINDA S.	VOL. 1284, PG. 353
5B-13	8	RONNY SALAMON	VOL. 846, PG. 239
5B-14	8	FRANCISCO GONZALEZ QUESADA	VOL. 849, PG. 330
5B-15	8	HUGO E. GALINDO	VOL. 1562, PG. 517
5B-16	8	LOIS ANN DUHON	VOL. 1130, PG. 696
5B-17	8	ELVA E. VILLA	VOL. 1051, PG. 413
5B-18	8	HECTOR ESPARZA	VOL. 1002, PG. 754

SHEET 1 OF 1

Survey of 9.98 acre tract out of Manadas Creek Properties tract recorded in Vol. 2003, Pgs. 124-126, W.C.C

CRANE ENGINEERING, INC

GE1

For more information call Lula Morales Realty, Inc. at (956) 206-9094.

* Dimensions and all information given are approximate and according to information provided by the tax office, appraisals, owner or builder's plans. Confirmation of these dimensions is up to the buyer. Broker has not measured the property

Webb CAD

Property Search Results > 206178 MANADAS CREEK PROPERTIES LLC for Year 2017

Property

Account

Property ID:	206178	Legal Description:	ABST 277 POR 22 D M SANCHEZ 9.98 ACS
Geographic ID:	900-90221-145	Agent Code:	
Type:	Real		
Property Use Code:			
Property Use Description:			

Location

Address:	BK_MONACO/SUBD_TOWARD I 35 LARED, TX 78045	Mapsco:	
Neighborhood:	CITY ACRES NORTH LAREDO	Map ID:	BB3I
Neighborhood CD:	CANL		

Owner

Name:	MANADAS CREEK PROPERTIES LLC	Owner ID:	10063647
Mailing Address:	222 E MAIN PLZ SAN ANTONIO, TX 78205-2717	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	$0		
(+) Improvement Non-Homesite Value:	+	$0		
(+) Land Homesite Value:	+	$0		
(+) Land Non-Homesite Value:	+	$49,900	Ag / Timber Use Value	
(+) Agricultural Market Valuation:	+	$0		$0
(+) Timber Market Valuation:	+	$0		$0
(=) Market Value:	=	$49,900		
(–) Ag or Timber Use Value Reduction:	–	$0		
(=) Appraised Value:	=	$49,900		
(–) HS Cap:	–	$0		
(=) Assessed Value:	=	$49,900		

Taxing Jurisdiction

Owner: MANADAS CREEK PROPERTIES LLC
% Ownership: 100.0000000000%
Total Value: $49,900

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
C1	CITY OF LAREDO	0.637000	$49,900	$49,900	$317.86
CAD	WEBB COUNTY APPRAISAL DISTRICT	0.000000	$49,900	$49,900	$0.00
G3	WEBB COUNTY	0.414700	$49,900	$49,900	$206.93
J2	LAREDO COMMUNITY COLLEGE	0.343000	$49,900	$49,900	$171.16
S7	UNITED ISD	1.224860	$49,900	$49,900	$611.21
	Total Tax Rate:	2.619560			
				Taxes w/Current Exemptions:	$1,307.16
				Taxes w/o Exemptions:	$1,307.16

Improvement / Building

No improvements exist for this property.

Land

Ex B2

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	ALL05	ACREAGE W/IN LDO LIMITS	9.9800	434728.80	0.00	0.00	$49,900	$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2017	$0	$49,900	0	49,900	$0	$49,900
2016	$0	$100,850	0	100,850	$0	$100,850
2015	$0	$100,850	0	100,850	$0	$100,850
2014	$0	$100,850	0	100,850	$0	$100,850
2013	$0	$100,850	0	100,850	$0	$100,850
2012	$0	$100,850	0	100,850	$0	$100,850
2011	$0	$100,850	0	100,850	$0	$100,850
2010	$0	$100,850	0	100,850	$0	$100,850
2009	$0	$100,850	0	100,850	$0	$100,850
2008	$0	$100,850	0	100,850	$0	$100,850

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	12/30/2005 12:00:00 AM	WDVL	WARRANTY DEED/VENDER LIEN	LA VENTANA DE L/	MANADAS CREEK	2003	124	905883
2	5/16/2001 12:00:00 AM	GWD	GENERAL WARRANTY DEED	RONE JUANITA S	LA VENTANA DE L/	1053	270	727859
3	10/17/2000 12:00:00 AM	DEED	DEED	SANTOS PROPERT	RONE JUANITA S	978	638	711182

Questions Please Call (956) 718-4091

Website version: 1.2.2.2

Database last updated on: 7/24/2017 1:24 AM

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Ex B3

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE:	§	CASE NO. 17-50831-cag
	§	
MANADAS CREEK PROPERTIES, LLC	§	
	§	
DEBTOR.	§	CHAPTER 7 PROCEEDING

CERTIFICATE OF MAILING

I certify that copies of the MOTION TO AUTHORIZE RANDOLPH N. OSHEROW, TRUSTEE, MOTION TO SELL DEBTOR'S INTEREST IN REAL PROPERTY- - FREE AND CLEAR OF ALL LIENS AND INTERESTS, were mailed to the below named persons, by first class mail, on this the 14th day of September, 2017:

Manadas Creek Properties, LLC
22802 Citron Circle
San Antonio, TX 78260
Debtor

Lewis Buttles
342 W Woodlawn, Suite 103
San Antonio, TX 78212

David Gragg
Langley & Banack, Inc.
745 E Mulberry, Suite 900
San Antonio, TX 78212

U.S. Trustee
P.O. Box 1539
San Antonio, Texas 78295

Chance M. McGhee
Law Offices of Chance M. McGhee
8207 Callaghan Rd., Suite 250
San Antonio, TX 78230
Counsel for Debtor

A & S Holdings, LLC
3660 Del mar Blvd, Ste 8
Laredo, TX 78045

Juarez Investments, LLC
PO Box 451768
Laredo, TX 78045-0043

Lula Morales
Lula Morales Realty
5615 San Dario, Suite 101
Laredo, TX 78041
Realtor

SEE ATTACHED MAILING MATRIX FOR A LIST OF PARTIES SERVED WITH NOTICE.

/s/ Randolph N. Osherow
RANDOLPH N. OSHEROW, Chapter 7 Trustee
Texas State Bar No. 15335500
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San Antonio, Texas 78212
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San Antonio Tx 78205-2717

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Laredo TX 78040-6316

Henry Grun, Attorney
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San Antonio TX 78205-2717

Internal Revenue Service
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Philadelphia PA 19101-7346

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Galveston TX 77550-8940

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Laredo TX 78041-4281

Martha Santos
PO Box 2777
Laredo TX 78044-2777

Richard Sames, Attorney
6721 McPherson Rd. #360
Laredo TX 78041-6404

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United States Attorney General
Department of Justice
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Washington DC 20530-0009

Webb County Appraisal District
3302 Clark Boulevard
Laredo TX 78043-3346

William L. Essex
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San Antonio TX 78260-7728